THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO. 25763 OF 2005

Dated 30th January 2006

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Between:

Telugunadu Medical & Health Employees Union,

Rep. by its President Khaja Moinuddin

…Petitioner

And

The Commissioner of Labour, Andhra Pradesh,

Hyderabad & others

…Respondents

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O R D E R:

The petitioner is a registered trade union. In the Department of Medical & Health, the verification of majority union of workers was undertaken, for the first time, in the year 1964. Almost for 30 years, there were no elections, thereafter. In pursuance of a direction issued by this Court in the year 1994, in Writ Petition No.14827 of 1994, elections were held, and the 4th respondent was declared as majority union. Such recognition was to remain in force, for a period of two years. When the respondents 1 and 2 did not initiate any steps for fresh verification, the Director of Health, the 3rd respondent herein, issued proceedings dated 22.9.2004, requesting the respondents 1 and 2, to undertake verification. The grievance of the petitioner is that no steps have been taken so far, in the matter.

Heard the learned counsel for the petitioner, learned Government Pleader for

Labour and Sri K.Vasudeva Reddy, learned counsel for 4th respondent.

The purpose of undertaking the verification of the strength of unions is, to recognize a majority union, which, in turn, can effectively espouse the causes of the concerned category of employees. Two years is stipulated as the term of such verification. The fourth respondent came to be recognized, as a majority union, in July 2002. Immediately, on completion of two years term, the 3rd respondent addressed letter dated 22.9.2004, requesting the respondents 1 and 2, to take necessary steps, in the matter. So far no action has been taken thereon.

It is the obligation of respondents 1 and 2, to ensure that the process of verification takes place, within the jurisdictions, promptly and without any delay. Any lapse, in this regard, would defeat the very purpose of providing for verification.

For the foregoing reasons, the writ petition is disposed of, directing the respondents 1 and 2, to cause necessary verifications, in the matter of recognition of unions in the Department of Medical and Health, within three months, from the date of receipt of a copy of this order. There shall be no order as to costs.

30th January 2006

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